

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Wendell L. Cruse,

Plaintiff,

v.

Shelley Phan,

Defendant.

Civil Action 2:18-cv-1543

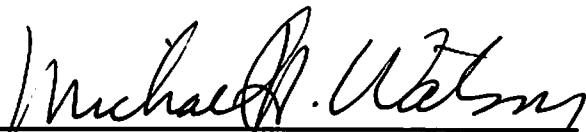
Judge Michael H. Watson

Chief Magistrate Judge Elizabeth P. Deavers

**ORDER**

On January 24, 2019, Magistrate Judge Deavers issued a Report and Recommendation ("R&R") recommending the Court dismiss this action with prejudice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute. R&R, ECF No. 8. The R&R notified Plaintiff of his right to object within fourteen days and of the consequences for failing to do so. *Id.* at 5. Namely, the R&R notified Plaintiff that a failure to timely object would result in a waiver of the right to *de novo* review by the Undersigned as well as a waiver of the right to appeal the judgment of the District Court. *Id.* The time for filing objections has passed, and none were filed. Accordingly, the Court **ADOPTS** the R&R without conducting a *de novo* review and **DISMISSES WITH PREJUDICE** this action in its entirety. The Clerk shall enter judgment for Defendant and terminate this case.

**IT IS SO ORDERED.**

  
MICHAEL H. WATSON, JUDGE  
UNITED STATES DISTRICT COURT